

ESTTA Tracking number: **ESTTA1203871**

Filing date: **04/19/2022**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer information

Name	Monster Energy Company
Granted to date of previous extension	04/20/2022
Address	1 MONSTER WAY CORONA, CA 92879 UNITED STATES
Attorney information	MATTHEW S. BELLINGER KNOBBE MARTENS OLSON & BEAR LLP 2040 MAIN ST, 14TH FLOOR IRVINE, CA 92614 UNITED STATES Primary email: efiling@knobbe.com Secondary email(s): MEC.TTAB@knobbe.com (949) 760-0404
Docket no.	HANB.14470M

Applicant information

Application no.	90608571	Publication date	12/21/2021
Opposition filing date	04/19/2022	Opposition period ends	04/20/2022
Applicant	Queso Monster, LLC 1504 OLD IVEY ROAD APEX, NC 27523 UNITED STATES		

Goods/services affected by opposition


Class 043. First Use: Jun 13, 2017 First Use In Commerce: Jun 13, 2017
All goods and services in the class are opposed, namely: Providing of Mexican food and drink via a mobile truck


Grounds for opposition

Priority and likelihood of confusion	Trademark Act Section 2(d)
Other	Common law rights as asserted in the Notice of Opposition

Marks cited by opposer as basis for opposition

U.S. registration no.	5114854	Application date	12/02/2013
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Register	Principal		
Registration date	01/03/2017	Foreign priority date	NONE
Word mark	MONSTER ENERGY		
Design mark			
Description of mark	NONE		
Goods/services	Class 043. First use: First Use: Oct 17, 2016 First Use In Commerce: Oct 17, 2016 Restaurant services; bar services		


U.S. registration no.	5114853	Application date	11/27/2013
Register	Principal		
Registration date	01/03/2017	Foreign priority date	NONE
Word mark	M MONSTER ENERGY		
Design mark			
Description of mark	The mark consists of the letter "M" in the form of a claw above the words "MONSTER ENERGY".		
Goods/services	Class 043. First use: First Use: Oct 17, 2016 First Use In Commerce: Oct 17, 2016		

	Restaurant services; bar services
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U.S. registration no.	5689189	Application date	05/08/2018
Register	Principal		
Registration date	03/05/2019	Foreign priority date	NONE
Word mark	JAVA MONSTER		
Design mark			
Description of mark	NONE		
Goods/services	Class 043. First use: First Use: Mar 2013 First Use In Commerce: Mar 2013 Bar services; Caf�� services; Coffee bars; Mobile restaurant services; Restaurant services; Mobile caf�� services for providing food and drink		

U.S. registration no.	3057061	Application date	04/18/2002
Register	Principal		
Registration date	02/07/2006	Foreign priority date	NONE
Word mark	MONSTER ENERGY		
Design mark			
Description of mark	NONE		
Goods/services	Class 032. First use: First Use: Mar 27, 2002 First Use In Commerce: Apr 18, 2002 Fruit juice drinks having a juice content of 50% or less by volume that are shelf stable, carbonated soft drinks, carbonated drinks enhanced with vitamins, minerals, nutrients, amino acids and/or herbs, [aerated water, soda water and seltzer water,] but excluding perishable beverage products that contain fruit juice or soy, whether such products are pasteurized or not		

U.S. registration no.	4111964	Application date	08/24/2011
Register	Principal		
Registration date	03/13/2012	Foreign priority date	NONE
Word mark	MONSTER REHAB		

Design mark	
Description of mark	NONE
Goods/services	Class 030. First use: First Use: Feb 2011 First Use In Commerce: Feb 2011 Ready to drink tea, iced tea and tea based beverages; ready to drink flavored tea, iced tea and tea based beverages

U.S. registration no.	3044315	Application date	05/23/2003
Register	Principal		
Registration date	01/17/2006	Foreign priority date	NONE
Word mark	MONSTER ENERGY		
Design mark			
Description of mark	NONE		
Goods/services	Class 005. First use: First Use: Mar 27, 2002 First Use In Commerce: Apr 18, 2002 nutritional supplements in liquid [and non-liquid] form, but excluding perishable beverage products that contain fruitjuice or soy, whether such products are pasteurized or not		


U.S. registration no.	5018111	Application date	03/15/2016
Register	Principal		
Registration date	08/09/2016	Foreign priority date	NONE
Word mark	JAVA MONSTER		
Design mark			
Description of mark	NONE		
Goods/services	Class 030. First use: First Use: Apr 27, 2007 First Use In Commerce: Apr 27,		

	2007 Ready to drink coffee, iced coffee and coffee based beverages; ready to drink flavored coffee, iced coffee and coffee based beverages
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U.S. registration no.	4129288	Application date	07/06/2010
Register	Principal		
Registration date	04/17/2012	Foreign priority date	NONE
Word mark	MONSTER REHAB		
Design mark			
Description of mark	NONE		
Goods/services	<p>Class 005. First use: First Use: Mar 2, 2011 First Use In Commerce: Mar 2, 2011 Nutritional supplements in liquid form</p> <p>Class 032. First use: First Use: Mar 2, 2011 First Use In Commerce: Mar 2, 2011 Beverages, namely, non-alcoholic non-carbonated drinks enhanced with vitamins, minerals, nutrients, proteins, amino acids and/or herbs; non-carbonated energy or sports drinks, fruit juice drinks having a juice content of 50% or less by volume that are shelf-stable; all the foregoing goods exclude perishable beverage products that contain fruit juice or soy, whether such products are pasteurized or not</p>		

U.S. registration no.	3959457	Application date	12/08/2005
Register	Principal		
Registration date	05/10/2011	Foreign priority date	NONE
Word mark	JAVA MONSTER		
Design mark			
Description of	NONE		

mark	
Goods/services	Class 032. First use: First Use: Apr 27, 2007 First Use In Commerce: Apr 27, 2007 Beverages, namely, soft drinks; non-carbonated energy drinks; non-carbonated sports drinks; soft drinks and non-carbonated energy drinks, all enhanced with vitamins, minerals, nutrients, amino acids, and/or herbs, but excluding perishable beverage products that contain fruit juice or soy, whether such products are pasteurized or not


U.S. registration no.	4376796	Application date	07/02/2010
Register	Principal		
Registration date	07/30/2013	Foreign priority date	NONE
Word mark	MUSCLE MONSTER		
Design mark			
Description of mark	NONE		
Goods/services	Class 005. First use: First Use: Mar 18, 2013 First Use In Commerce: Mar 18, 2013 Nutritional supplements in liquid form Class 032. First use: First Use: Mar 18, 2013 First Use In Commerce: Mar 18, 2013 Beverages, namely, soft drinks; non-alcoholic and non-carbonated drinks enhanced with vitamins, minerals, nutrients, proteins, amino acids and/or herbs; non-carbonated energy or sports drinks; all the foregoing goods exclude perishable beverage products that contain fruit juice or soy, whether such products are pasteurized or not		


U.S. registration no.	4451535	Application date	07/10/2013
Register	Principal		
Registration date	12/17/2013	Foreign priority date	NONE
Word mark	MUSCLE MONSTER		

Design mark	MUSCLE MONSTER
Description of mark	NONE
Goods/services	<p>Class 005. First use: First Use: Mar 18, 2013 First Use In Commerce: Mar 18, 2013 Vitamin fortified beverages</p> <p>Class 029. First use: First Use: Mar 18, 2013 First Use In Commerce: Mar 18, 2013 Dairy-based beverages; dairy-based energy shakes; energy shakes; [coffee energy shakes;] chocolate energy shakes</p> <p>Class 030. First use: First Use: Mar 18, 2013 First Use In Commerce: Mar 18, 2013 [Ready to drink coffee based beverages;] ready to drink chocolate-based beverages</p>

U.S. registration no.	4634053	Application date	11/15/2013
Register	Principal		
Registration date	11/04/2014	Foreign priority date	NONE
Word mark	MONSTER ASSAULT		
Design mark	MONSTER ASSAULT		
Description of mark	NONE		
Goods/services	<p>Class 005. First use: First Use: May 2008 First Use In Commerce: May 2008 Nutritional supplements in liquid form;vitamin fortified beverages</p> <p>Class 032. First use: First Use: May 2008 First Use In Commerce: May 2008 Non-alcoholic beverages, namely, energydrinks, [energy drinks flavored with juice,] sports drinks, all enhanced withvitamins, minerals, nutrients, proteins, amino acids, and/or herbs, but excluding perishable beverage products that contain fruit juice or soy, whether such products are pasteurized or not</p>		

U.S. registration	4036681	Application date	09/11/2007
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no.			
Register	Principal		
Registration date	10/11/2011	Foreign priority date	NONE
Word mark	MONSTER ENERGY		
Design mark			
Description of mark	NONE		
Goods/services	Class 032. First use: First Use: Mar 27, 2002 First Use In Commerce: Apr 18, 2002 Non-alcoholic beverages, namely, energydrinks, excluding perishable beverage products that contain fruit juice or soy		


U.S. registration no.	4036680	Application date	09/11/2007
Register	Principal		
Registration date	10/11/2011	Foreign priority date	NONE
Word mark	MONSTER ENERGY		
Design mark			
Description of mark	NONE		
Goods/services	Class 005. First use: First Use: Mar 27, 2002 First Use In Commerce: Apr 18, 2002 Nutritional supplements in liquid form		


U.S. registration no.	3134842	Application date	05/07/2003
Register	Principal		
Registration date	08/29/2006	Foreign priority date	NONE
Word mark	M MONSTER ENERGY		

Design mark	
Description of mark	NONE
Goods/services	Class 032. First use: First Use: Mar 27, 2002 First Use In Commerce: Apr 18, 2002 Beverages, namely, carbonated soft drinks, carbonated drinks enhanced with vitamins, minerals, nutrients, amino acids and/or herbs, carbonated [and non-carbonated] energy or sports drinks, fruit juice drinks having a juice content of 50% or less by volume that are shelf stable, [and water,] but excluding perishable beverage products that contain fruit juice or soy, whether such products are pasteurized or not

U.S. registration no.	3044314	Application date	05/23/2003
Register	Principal		
Registration date	01/17/2006	Foreign priority date	NONE
Word mark	M MONSTER ENERGY		
Design mark			
Description of mark	NONE		
Goods/services	Class 005. First use: First Use: Mar 27, 2002 First Use In Commerce: Apr 18, 2002 nutritional supplements in liquid [and non-liquid] form, but excluding perishable beverage products that contain fruit juice or soy, whether such products are pasteurized or not		

U.S. registration no.	3852118	Application date	02/13/2009
Register	Principal		
Registration date	09/28/2010	Foreign priority date	NONE
Word mark	LO-CARB MONSTER ENERGY		
Design mark			
Description of mark	NONE		
Goods/services	Class 005. First use: First Use: Aug 2003 First Use In Commerce: Aug 2003 Nutritional supplements Class 032. First use: First Use: Aug 2003 First Use In Commerce: Aug 2003 Non-alcoholic beverages, namely, energy drinks, drinks enhanced with vitamins, minerals, nutrients, amino acids and/or herbs		

U.S. registration no.	5281559	Application date	06/12/2014
Register	Principal		
Registration date	09/05/2017	Foreign priority date	NONE
Word mark	MONSTER ENERGY ULTRA		
Design mark			
Description of mark	NONE		
Goods/services	<p>Class 005. First use: First Use: Feb 5, 2014 First Use In Commerce: Feb 5, 2014</p> <p>Nutritional supplements in liquid form</p> <p>Class 032. First use: First Use: Feb 5, 2014 First Use In Commerce: Feb 5, 2014</p> <p>Non-alcoholic beverages, namely, carbonated soft drinks, carbonated energy drinks, sports drinks, and soft drinks; energy drinks and sports drinks enhanced with vitamins, minerals, nutrients, amino acids and/or herbs</p>		

U.S. registration no.	5476437	Application date	12/15/2016
Register	Principal		
Registration date	05/22/2018	Foreign priority date	NONE
Word mark	MONSTER HYDRO		
Design mark			
Description of mark	NONE		
Goods/services	<p>Class 032. First use: First Use: Feb 26, 2018 First Use In Commerce: Feb 26, 2018</p> <p>Non-alcoholic beverages, namely, energydrinks, soft drinks, sports drinks, and-flavored waters; water enhanced with vitamins, nutrients, proteins, and amino acids</p>		

Attachments	86133110#TMSN.png(bytes) 86131120#TMSN.png(bytes) 87911544#TMSN.png(bytes) 85406210#TMSN.png(bytes) 86940425#TMSN.png(bytes) 85078405#TMSN.png(bytes) 78769836#TMSN.png(bytes) 85077052#TMSN.png(bytes) 86006264#TMSN.png(bytes) 86120138#TMSN.png(bytes) 77276989#TMSN.png(bytes) 77276979#TMSN.png(bytes) 77670729#TMSN.png(bytes) 86307787#TMSN.png(bytes) 87270664#TMSN.png(bytes) 2022-04-19 Final Notice of Opposition - 90608571 - HANB.14470M.pdf(733080 bytes) NOP Exhibits 1-19 - HANB.11470M.pdf(3156760 bytes)
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Signature	/Matthew S. Bellinger/
Name	Matthew S. Bellinger
Date	04/19/2022

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

MONSTER ENERGY COMPANY,

Opposer,

v.

QUESO MONSTER, LLC,

Applicant.

)
) Opposition No.: _____

)
) Serial No.: 90/608571

)
) Mark:



NOTICE OF OPPOSITION

Commissioner for Trademarks
 P.O. Box 1451
 Alexandria, VA 22313-1451

Monster Energy Company, a Delaware corporation, located and doing business at 1 Monster Way, Corona, California 92879, (“Opposer”) believes that it will be damaged by registration of U.S. Trademark Application Serial No. 90/608571 (the “Application”) for the mark



(“Applicant’s Mark”) filed by Queso Monster, LLC (“Applicant”), and therefore opposes the same.

As grounds for opposition, it is alleged:

1. By the Application filed on March 29, 2021, Applicant seeks to obtain registration on




the Principal Register of the mark

for “providing of Mexican food and drink via

a mobile truck” in International Class 43 based on Applicant’s alleged use in interstate commerce of Applicant’s Mark since June 13, 2017.

2. Since at least 2002, long before the filing date of the Application and the alleged date of first use in interstate commerce of Applicant’s Mark, Opposer has been, and still is, engaged in the development, marketing, and/or sale of beverages, nutritional supplements, clothing, and other products under the marks MONSTERTM and MONSTER ENERGY[®] and related marks, all containing “MONSTER.” Opposer’s family of MONSTER Marks includes, but

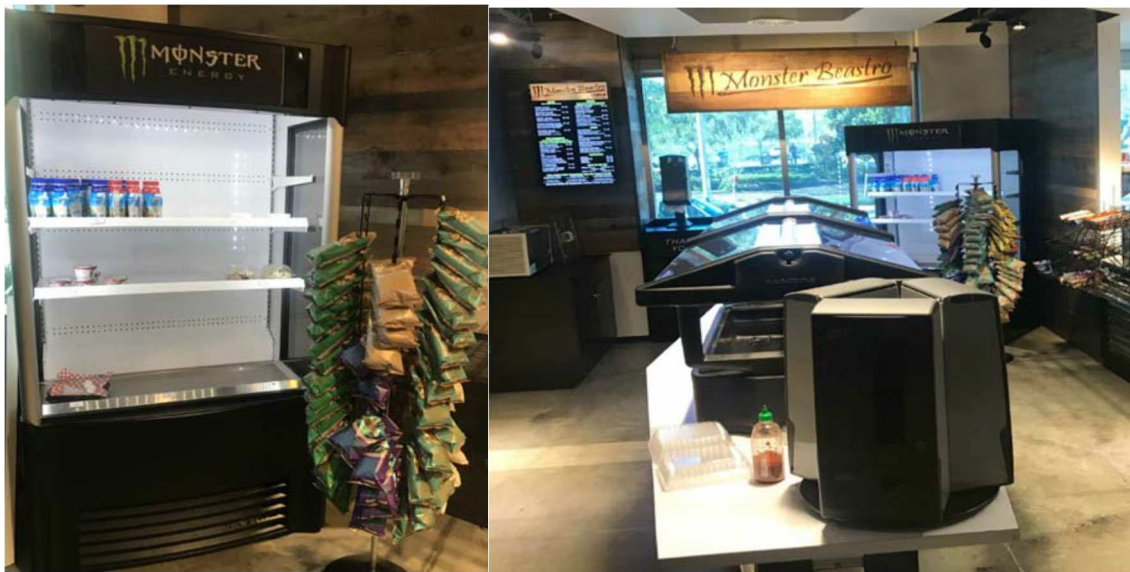


is not limited to, the following: MONSTERTM, MONSTER ENERGY[®], , MONSTER REHAB[®], MUSCLE MONSTER[®], MONSTER ASSAULT[®], JUICE MONSTER[®], JAVA MONSTER[®], M MONSTER ENERGY[®], LO-CARB MONSTER ENERGY[®], MONSTER ENERGY ULTRA[®], MONSTER HYDRO[®], and MONSTER MULE[®] (hereinafter collectively, the “MONSTER Marks”).

3. Since at least before the filing date of the Application and the alleged date of first use in interstate commerce of Applicant’s Mark, Opposer has continuously used and promoted its family of MONSTER Marks. Opposer’s family of MONSTER Marks is the subject of substantial and continuous marketing and promotion by Opposer in connection with its beverages, nutritional supplements, clothing, and numerous other products and services. Opposer’s beverages bearing its MONSTER Marks have been and/or are currently sold or distributed at locations throughout the United States, including where food and beverages are sold for consumption on-premise such as restaurants, bars, sports venues, theme parks, and cinemas.

4. Opposer also uses its MONSTER Marks in connection with restaurant services, including in connection with its Monster Beastro restaurant. The following are images of the

Monster Beastro restaurant showing exemplary use of the MONSTER Marks in connection with the restaurant:



5. Opposer also promotes the MONSTER Marks through, for example, the sponsorship of music festivals, athletes, and sports events that are televised nationwide and internationally. Opposer frequently sets up VIP and hospitality areas at its sponsored or attended events at numerous locations across the United States. Opposer frequently serves food and beverages at these VIP and hospitality areas. Images of Opposer's VIP and hospitality areas displaying Opposer's MONSTER Marks are shown below:






6. Opposer also has and continues to widely market and promote its family of MONSTER Marks in the industry and to consumers by, for example, displaying the MONSTER Marks extensively on billions of cans of beverages; on apparel, merchandise, and on product samplings; on promotional and point of sale materials; in magazines and other industry publications; on the monsterenergy.com website, monsterarmy.com website and other Internet websites and social media sites; and at trade shows and other live events.

7. By virtue of Opposer's continuous and substantial use, the MONSTER Marks have become famous identifiers of Opposer such that consumers have come to recognize a family of MONSTER Marks with which Opposer offers, markets and sells its goods and services. As a result, Opposer has built up, at great expense and effort, valuable goodwill in its family of MONSTER Marks and has developed strong common law rights in its MONSTER Marks. Opposer relies on its common law rights in its family of MONSTER Marks, which rights predate the filing date of the Application and the alleged date of first use in interstate commerce of Applicant's Mark.¹

¹ Opposer has also obtained California Trademark Registration No. 108,124 for the mark MONSTER for "fruit juice drinks, soft drinks, carbonated soft drinks and soft drinks enhanced with vitamins, minerals, nutrients, amino acids and/or herbs, aerated water, soda water and seltzer water" in International Class 32, which registration issued April 24, 2002.

8. In addition to Opposer's common law rights, Opposer owns and relies on the following registrations:

Mark	Registration Number	Goods and Services	First Use Date	Filing Date	Registration Date
MONSTER ENERGY®	5,114,854	IC 43: restaurant services; bar services	October 17, 2016	December 2, 2013	January 3, 2017
	5,114,853	IC 43: restaurant services; bar services	October 17, 2016	November 27, 2013	January 3, 2017
JAVA MONSTER®	5,689,189	IC 43: bar services; café services; coffee bars; mobile restaurant services; restaurant services; mobile café services for providing food and drink	March 2013	May 8, 2018	March 5, 2019
MONSTER ENERGY®	3,057,061	IC 32: fruit juice drinks having a juice content of 50% or less by volume that are shelf stable, carbonated soft drinks, carbonated drinks enhanced with vitamins, minerals, nutrients, amino acids and/or herbs, but excluding perishable beverage products that contain fruit juice or soy, whether such products are pasteurized or not	March 27, 2002	April 18, 2002	February 7, 2006
MONSTER REHAB®	4,111,964	IC 30: ready to drink tea, iced tea and tea based beverages; ready to drink flavored tea, iced tea and tea based beverages	February 2011	August 24, 2011	March 13, 2012
MONSTER ENERGY®	3,044,315	IC 5: nutritional supplements in liquid form, but excluding perishable beverage products that contain fruit juice or soy, whether such products are pasteurized or not	March 27, 2002	May 23, 2003	January 17, 2006
JAVA MONSTER®	5,018,111	IC 30: ready to drink coffee, iced coffee and coffee based beverages; ready to drink flavored coffee, iced coffee and coffee based beverages	April 27, 2007	March 15, 2016	August 9, 2016
MONSTER REHAB®	4,129,288	IC 05: nutritional supplements in liquid form IC 32: beverages, namely,	March 2, 2011	July 6, 2010	April 17, 2012

Mark	Registration Number	Goods and Services	First Use Date	Filing Date	Registration Date
		non-alcoholic, non-carbonated drinks enhanced with vitamins, minerals, nutrients, proteins, amino acids and/or herbs; non-carbonated energy or sports drinks, fruit juice drinks having a juice content of 50% or less by volume that are shelf-stable; all the foregoing goods exclude perishable beverage products that contain fruit juice or soy, whether such products are pasteurized or not			
JAVA MONSTER®	3,959,457	IC 32: beverages, namely, soft drinks; non-carbonated energy drinks; non-carbonated sports drinks; soft drinks and noncarbonated energy drinks, all enhanced with vitamins, minerals, nutrients, amino acids, and/or herbs, but excluding perishable beverage products that contain fruit juice or soy, whether such products are pasteurized or not	April 27, 2007	December 8, 2005	May 10, 2011
MUSCLE MONSTER®	4,376,796	IC 05: nutritional supplements in liquid form IC 32: beverages, namely, soft drinks; non-alcoholic and non-carbonated drinks enhanced with vitamins, minerals, nutrients, proteins, amino acids and/or herbs; non-carbonated energy or sports drinks; all the foregoing goods exclude perishable beverage products that contain fruit juice or soy, whether such products are pasteurized or not	March 18, 2013	July 2, 2010	July 30, 2013
MUSCLE MONSTER®	4,451,535	IC 05: vitamin fortified beverages IC 29: dairy-based beverages; dairy-based energy shakes; energy shakes; chocolate energy shakes	March 18, 2013	July 10, 2013	December 17, 2013


Mark	Registration Number	Goods and Services	First Use Date	Filing Date	Registration Date
		IC 30: ready to drink chocolate-based beverages			
MONSTER ASSAULT®	4,634,053	IC 05: nutritional supplements in liquid form; vitamin fortified beverages IC 32: non-alcoholic beverages, namely, energy drinks, sports drinks, all enhanced with vitamins, minerals, nutrients, proteins, amino acids, and/or herbs, but excluding perishable beverage products that contain fruit juice or soy, whether such products are pasteurized or not	May 2008	November 15, 2013	November 4, 2014
MONSTER ENERGY®	4,036,681	IC 32: non-alcoholic beverages, namely, energy drinks, excluding perishable beverage products that contain fruit juice or soy	March 27, 2002	September 11, 2007	October 11, 2011
MONSTER ENERGY®	4,036,680	IC 5: nutritional supplements in liquid form	March 27, 2002	September 11, 2007	October 11, 2011
M MONSTER ENERGY®	3,134,842	IC 32: beverages, namely, carbonated soft drinks, carbonated drinks enhanced with vitamins, minerals, nutrients, amino acids and/or herbs, carbonated energy or sports drinks, fruit juice drinks having a juice content of 50% or less by volume that are shelf stable, but excluding perishable beverage products that contain fruit juice or soy, whether such products are pasteurized or not	March 27, 2002	May 7, 2003	August 29, 2006
M MONSTER ENERGY®	3,044,314	IC 05: nutritional supplements in liquid form, but excluding perishable beverage products that contain fruit juice or soy, whether such products are pasteurized or not	March 27, 2002	May 23, 2003	January 17, 2006
LO-CARB MONSTER ENERGY®	3,852,118	IC 05: nutritional supplements IC 32: non-alcoholic beverages, namely, energy drinks, drinks enhanced with	August 2003	February 13, 2009	September 28, 2010

Mark	Registration Number	Goods and Services	First Use Date	Filing Date	Registration Date
		vitamins, minerals, nutrients, amino acids and/or herbs			
MONSTER ENERGY ULTRA®	5,281,559	IC 05: nutritional supplements in liquid form IC 32: non-alcoholic beverages, namely, carbonated soft drinks, carbonated energy drinks, sports drinks, and soft drinks; energy drinks and sports drinks enhanced with vitamins, minerals, nutrients, amino acids and/or herbs	February 5, 2014	June 12, 2014	September 5, 2017
MONSTER HYDRO®	5,476,437	IC 32: non-alcoholic beverages, namely, energy drinks, soft drinks, sports drinks, and flavored waters; water enhanced with vitamins, nutrients, proteins, and amino acids	February 26, 2018	December 15, 2016	May 22, 2018

9. Opposer owns and relies on U.S. Trademark Registration No. 5,114,854 (the “’854 Registration”) for the mark MONSTER ENERGY® for “restaurant services; bar services” in International Class 43, which registration issued January 3, 2017 and is based on an application filed in the United States Patent and Trademark Office (“PTO”) on December 2, 2013. The filing date of Opposer’s ’854 Registration is prior to the filing date of the Application and the alleged date of first use in interstate commerce of Applicant’s Mark. True and correct copies of the specifics of the ’854 Registration obtained from the PTO’s TESS and Assignment databases are hereto as Exhibit 1 and made of record.

10. Opposer owns and relies on U.S. Trademark Registration No. 5,114,853 (the “’853



Registration”) for the mark  for “restaurant services; bar services” in International Class 43, which registration issued January 3, 2017 and is based on an application filed in the PTO on

November 27, 2013. The filing date of Opposer's '853 Registration is prior to the filing date of the Application and the alleged date of first use in interstate commerce of Applicant's Mark. True and correct copies of the specifics of the '853 Registration obtained from the PTO's TESS and Assignment databases are attached hereto as Exhibit 2 and made of record.

11. Opposer owns and relies on U.S. Trademark Registration No. 5,689,189 (the "'189 Registration") for the mark JAVA MONSTER® for "bar services; café services; coffee bars; mobile restaurant services; restaurant services; mobile café services for providing food and drink" in International Class 43, which registration issued March 5, 2019 and is based on an application filed in the PTO on May 8, 2018. The filing date of Opposer's '189 Registration is prior to the filing date of the Application, and the date of first use in commerce listed in the '189 Registration is prior to the alleged date of first use in interstate commerce of Applicant's Mark. True and correct copies of the specifics of the '189 Registration obtained from the PTO's TESS and Assignment databases are attached hereto as Exhibit 3 and made of record.

12. Opposer owns and relies on incontestable U.S. Trademark Registration No. 3,057,061 (the "'061 Registration") for the mark MONSTER ENERGY® for "fruit juice drinks having a juice content of 50% or less by volume that are shelf stable, carbonated soft drinks, carbonated drinks enhanced with vitamins, minerals, nutrients, amino acids and/or herbs, but excluding perishable beverage products that contain fruit juice or soy, whether such products are pasteurized or not" in International Class 32, which registration issued February 7, 2006 and is based on an application filed in the PTO on April 18, 2002. The filing date of Opposer's '061 Registration is prior to the filing date of the Application and the alleged date of first use in interstate commerce of Applicant's Mark. True and correct copies of the specifics of the '061 Registration obtained from the PTO's TESS and Assignment databases are attached hereto as Exhibit 4 and made of record.

13. Opposer owns and relies on incontestable U.S. Trademark Registration No. 4,111,964 (the “’964 Registration”) for the mark MONSTER REHAB® for “ready to drink tea, iced tea and tea based beverages; ready to drink flavored tea, iced tea and tea based beverages” in International Class 30, which registration issued March 13, 2012 and is based on an application filed in the PTO on August 24, 2011. The filing date of Opposer’s ’964 Registration is prior to the filing date of the Application and the alleged date of first use in interstate commerce of Applicant’s Mark. True and correct copies of the specifics of the ’964 Registration obtained from the PTO’s TESS and Assignment databases are attached hereto as Exhibit 5 and made of record.

14. Opposer owns and relies on incontestable U.S. Trademark Registration No. 3,044,315 (the “’315 Registration”) for the mark MONSTER ENERGY® for “nutritional supplements in liquid form, but excluding perishable beverage products that contain fruit juice or soy, whether such products are pasteurized or not” in International Class 5, which registration issued January 17, 2006 and is based on an application filed in the PTO on May 23, 2003. The filing date of Opposer’s ’315 Registration is prior to the filing date of the Application and the alleged date of first use in interstate commerce of Applicant’s Mark. True and correct copies of the specifics of the ’315 Registration obtained from the PTO’s TESS and Assignment databases are attached hereto as Exhibit 6 and made of record.

15. Opposer owns and relies on incontestable U.S. Trademark Registration No. 5,018,111 (the “’111 Registration”) for the mark JAVA MONSTER® for “ready to drink coffee, iced coffee and coffee based beverages; ready to drink flavored coffee, iced coffee and coffee based beverages” in International Class 30, which registration issued August 9, 2016 and is based on an application filed in the PTO on March 15, 2016. The filing date of Opposer’s ’111 Registration is prior to the filing date of the Application and the alleged date of first use in interstate commerce of Applicant’s Mark. True and correct copies of the specifics of the ’111 Registration obtained

from the PTO's TESS and Assignment databases are attached hereto as Exhibit 7 and made of record.

16. Opposer owns and relies on incontestable U.S. Trademark Registration No. 4,129,288 (the "'288 Registration") for the mark MONSTER REHAB® for "nutritional supplements in liquid form" in International Class 5 and "beverages, namely, non-alcoholic, non-carbonated drinks enhanced with vitamins, minerals, nutrients, proteins, amino acids and/or herbs; non-carbonated energy or sports drinks, fruit juice drinks having a juice content of 50% or less by volume that are shelf-stable; all the foregoing goods exclude perishable beverage products that contain fruit juice or soy, whether such products are pasteurized or not" in International Class 32, which registration issued April 17, 2012 and is based on an application filed in the PTO on July 6, 2010. The filing date of Opposer's '288 Registration is prior to the filing date of the Application and the alleged date of first use in interstate commerce of Applicant's Mark. True and correct copies of the specifics of the '288 Registration obtained from the PTO's TESS and Assignment databases are attached hereto as Exhibit 8 and made of record.

17. Opposer owns and relies on incontestable U.S. Trademark Registration No. 3,959,457 (the "'457 Registration") for the mark JAVA MONSTER® for "beverages, namely, soft drinks; non-carbonated energy drinks; non-carbonated sports drinks; soft drinks and noncarbonated energy drinks, all enhanced with vitamins, minerals, nutrients, amino acids, and/or herbs, but excluding perishable beverage products that contain fruit juice or soy, whether such products are pasteurized or not" in International Class 32, which registration issued May 10, 2011 and is based on an application filed in the PTO on December 8, 2005. The filing date of Opposer's '457 Registration is prior to the filing date of the Application and the alleged date of first use in interstate commerce of Applicant's Mark. True and correct copies of the specifics of the '457

Registration obtained from the PTO's TESS and Assignment databases are attached hereto as Exhibit 9 and made of record.

18. Opposer owns and relies on incontestable U.S. Trademark Registration No. 4,376,796 (the "'796 Registration") for the mark MUSCLE MONSTER® for "nutritional supplements in liquid form" in International Class 5 and "beverages, namely, soft drinks; non-alcoholic and noncarbonated drinks enhanced with vitamins, minerals, nutrients, proteins, amino acids and/or herbs; non-carbonated energy or sports drinks; all the foregoing goods exclude perishable beverage products that contain fruit juice or soy, whether such products are pasteurized or not" in International Class 32, which registration issued July 30, 2013 and is based on an application filed in the PTO on July 2, 2010. The filing date of Opposer's '796 Registration is prior to the filing date of the Application and the alleged date of first use in interstate commerce of Applicant's Mark. True and correct copies of the specifics of the '796 Registration obtained from the PTO's TESS and Assignment databases are attached hereto as Exhibit 10 and made of record.

19. Opposer owns and relies on incontestable U.S. Trademark Registration No. 4,451,535 (the "'535 Registration") for the mark MUSCLE MONSTER® for "vitamin fortified beverages" in International Class 5, "dairy-based beverages; dairy-based energy shakes; energy shakes; chocolate energy shakes" in International Class 29 and "ready to drink chocolate-based beverages" in International Class 30, which registration issued December 17, 2013 and is based on an application filed in the PTO on July 10, 2013. The filing date of Opposer's '535 Registration is prior to the filing date of the Application and the alleged date of first use in interstate commerce of Applicant's Mark. True and correct copies of the specifics of the '535 Registration obtained from the PTO's TESS and Assignment databases are attached hereto as Exhibit 11 and made of record.

20. Opposer owns and relies on incontestable U.S. Trademark Registration No. 4,634,053 (the "'053 Registration") for the mark MONSTER ASSAULT® for "nutritional

supplements in liquid form; vitamin fortified beverages” in International Class 5 and “non-alcoholic beverages, namely, energy drinks, sports drinks, all enhanced with vitamins, minerals, nutrients, proteins, amino acids, and/or herbs, but excluding perishable beverage products that contain fruit juice or soy, whether such products are pasteurized or not” in International Class 32, which registration issued November 4, 2014 and is based on an application filed in the PTO on November 15, 2013. The filing date of Opposer’s ’053 Registration is prior to the filing date of the Application and the alleged date of first use in interstate commerce of Applicant’s Mark. True and correct copies of the specifics of the ’053 Registration obtained from the PTO’s TESS and Assignment databases are attached hereto as Exhibit 12 and made of record.

21. Opposer owns and relies on incontestable U.S. Trademark Registration No. 4,036,681 (the “’681 Registration”) for the mark MONSTER ENERGY® for “non-alcoholic beverages, namely, energy drinks, excluding perishable beverage products that contain fruit juice or soy” in International Class 32, which registration issued October 11, 2011 and is based on an application filed in the PTO on September 11, 2007. The filing date of Opposer’s ’681 Registration is prior to the filing date of the Application and the alleged date of first use in interstate commerce of Applicant’s Mark. True and correct copies of the specifics of the ’681 Registration obtained from the PTO’s TESS and Assignment databases are attached hereto as Exhibit 13 and made of record.

22. Opposer owns and relies on incontestable U.S. Trademark Registration No. 4,036,680 (the “’680 Registration”) for the mark MONSTER ENERGY® for “nutritional supplements in liquid form” in International Class 5, which registration issued October 11, 2011 and is based on an application filed in the PTO on September 11, 2007. The filing date of Opposer’s ’680 Registration is prior to the filing date of the Application and the alleged date of first use in interstate commerce of Applicant’s Mark. True and correct copies of the specifics of the ’680

Registration obtained from the PTO's TESS and Assignment databases are attached hereto as Exhibit 14 and made of record.

23. Opposer owns and relies on incontestable U.S. Trademark Registration No. 3,134,842 (the "'842 Registration") for the mark M MONSTER ENERGY® for "beverages, namely, carbonated soft drinks, carbonated drinks enhanced with vitamins, minerals, nutrients, amino acids and/or herbs, carbonated energy or sports drinks, fruit juice drinks having a juice content of 50% or less by volume that are shelf stable, but excluding perishable beverage products that contain fruit juice or soy, whether such products are pasteurized or not" in International Class 32, which registration issued August 29, 2006 and is based on an application filed in the PTO on May 7, 2003. The filing date of Opposer's '842 Registration is prior to the filing date of the Application and the alleged date of first use in interstate commerce of Applicant's Mark. True and correct copies of the specifics of the '842 Registration obtained from the PTO's TESS and Assignment databases are attached hereto as Exhibit 15 and made of record.

24. Opposer owns and relies on incontestable U.S. Trademark Registration No. 3,044,314 (the "'314 Registration") for the mark M MONSTER ENERGY® for "nutritional supplements in liquid form, but excluding perishable beverage products that contain fruit juice or soy, whether such products are pasteurized or not" in International Class 5, which registration issued January 17, 2006 and is based on an application filed in the PTO on May 23, 2003. The filing date of Opposer's '314 Registration is prior to the filing date of the Application and the alleged date of first use in interstate commerce of Applicant's Mark. True and correct copies of the specifics of the '314 Registration obtained from the PTO's TESS and Assignment databases are attached hereto as Exhibit 16 and made of record.

25. Opposer owns and relies on incontestable U.S. Trademark Registration No. 3,852,118 (the "'118 Registration") for the mark LO-CARB MONSTER ENERGY® for

“nutritional supplements” in International Class 5 and “non-alcoholic beverages, namely, energy drinks, drinks enhanced with vitamins, minerals, nutrients, amino acids and/or herbs” in International Class 32, which registration issued September 28, 2010 and is based on an application filed in the PTO on February 13, 2009. The filing date of Opposer’s ’118 Registration is prior to the filing date of the Application and the alleged date of first use in interstate commerce of Applicant’s Mark. True and correct copies of the specifics of the ’118 Registration obtained from the PTO’s TESS and Assignment databases are attached hereto as Exhibit 17 and made of record.

26. Opposer owns and relies on U.S. Trademark Registration No. 5,281,559 (the “’559 Registration”) for the mark MONSTER ENERGY ULTRA® for “nutritional supplements in liquid form” in International Class 5 and “non-alcoholic beverages, namely, carbonated soft drinks, carbonated energy drinks, sports drinks, and soft drinks; energy drinks and sports drinks enhanced with vitamins, minerals, nutrients, amino acids and/or herbs” in International Class 32, which registration issued September 5, 2017 and is based on an application filed in the PTO on June 12, 2014. The filing date of Opposer’s ’559 Registration is prior to the filing date of the Application and the alleged date of first use in interstate commerce of Applicant’s Mark. True and correct copies of the specifics of the ’559 Registration obtained from the PTO’s TESS and Assignment databases are attached hereto as Exhibit 18 and made of record.

27. Opposer owns and relies on U.S. Trademark Registration No. 5,476,437 (the “’437 Registration”) for the mark MONSTER HYDRO® for “non-alcoholic beverages, namely, energy drinks, soft drinks, sports drinks, and flavored waters; water enhanced with vitamins, nutrients, proteins, and amino acids” in International Class 32, which registration issued May 22, 2018 and is based on an application filed in the PTO on December 15, 2016. The filing date of Opposer’s ’437 Registration is prior to the filing date of the Application and the alleged date of first use in interstate commerce of Applicant’s Mark. True and correct copies of the specifics of the ’437

Registration obtained from the PTO's TESS and Assignment databases are attached hereto as Exhibit 19 and made of record.

28. The foregoing registrations are valid, subsisting, unrevoked and uncanceled; as such they constitute *prima facie* evidence of the validity of the registered marks and of the registrations thereof, and of Opposer's ownership of the marks shown therein. Opposer's registrations also constitute notice to Applicant of Opposer's claim of ownership of the marks shown therein as provided in Sections 7(b), 22 and 33(a) of the Trademark Act.

29. Opposer's Registration Nos. 3,057,061, 3,044,315, 5,018,111, 3,134,842, 3,044,314, 3,959,457, 4,036,680, 3,852,118, 4,036,681, 4,129,288, 4,376,796, 4,451,535, 4,634,053, and 4,111,964 are incontestable. As such, they constitute conclusive evidence of the validity of the registered marks and of the registration of the marks, of Opposer's ownership of its marks, and of Opposer's exclusive right to use the registered marks in commerce as provided in Section 33 of the Lanham Act, 15 U.S.C. § 1115.

30. Since at least before the filing date of the Application and the alleged date of first use in interstate commerce of Applicant's Mark, Opposer has continuously used and promoted the MONSTER Marks in interstate commerce in connection with its goods and services, including the goods and services identified in the foregoing registrations. In addition, Opposer's MONSTER Marks were well established and famous long before the filing date of Applicant's Application and the alleged date of first use in interstate commerce of Applicant's Mark.

31. Applicant seeks an unrestricted federal registration for Applicant's Mark covering the goods and services as set forth in the Application. As such, if a registration issues for the Application, such registration will constitute *prima facie* evidence of the Applicant's exclusive right to use the registered mark in commerce on or in connection with the listed goods and services throughout the United States with no limitation thereon.

32. Opposer will be damaged by registration of the Application in that Applicant's Mark so resembles Opposer's MONSTER Marks registered in the PTO, and in which Opposer owns common law trademark rights, as to be likely, when used on or in connection with the services as they are identified in the Application, to cause confusion, or to cause mistake or to deceive within the meaning of Section 2(d) of the Trademark Act, 15 U.S.C. § 1052(d).

33. In view of Opposer's prior rights in its MONSTER Marks, Applicant is not entitled to federal registration of Applicant's Mark pursuant to Section 2(d) of the Trademark Act, 15 U.S.C. § 1052(d).

WHEREFORE, Opposer prays that U.S. Trademark Application Serial No. 90/608571 be rejected and stricken, that no registration be issued thereon to Applicant, and that this opposition be sustained in favor of Opposer.

Please charge Deposit Account No. 11-1410 to cover the opposition fee and any additional fees which may be required, or credit any overpayment to this account.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: April 19, 2022

By: /Matthew S. Bellinger/

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Attorneys for Opposer,
MONSTER ENERGY COMPANY

TTAB Opposition No.: _____
Monster Energy Company v. Queso Monster, LLC

EXHIBIT 1



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MONSTER ENERGY

Word Mark	MONSTER ENERGY
Goods and Services	IC 043. US 100 101. G & S: Restaurant services; bar services. FIRST USE: 20161017. FIRST USE IN COMMERCE: 20161017
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	86133110
Filing Date	December 2, 2013
Current Basis	1A
Original Filing Basis	1B
Published for Opposition	February 18, 2014
Registration Number	5114854
Registration Date	January 3, 2017
Owner	(REGISTRANT) Monster Energy Company CORPORATION DELAWARE 1 Monster Way Corona CALIFORNIA 92879
Attorney of Record	Jessica Sganga
Prior Registrations	3057061
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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TTAB Opposition No.: _____

Monster Energy Company v. Queso Monster, LLC

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TTAB Opposition No.: _____

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For Serial Number: 86133110

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United States of America

United States Patent and Trademark Office

MONSTER ENERGY

Reg. No. 5,114,854

Registered Jan. 03, 2017

Int. Cl.: 43

Service Mark

Principal Register

Monster Energy Company (DELAWARE CORPORATION)
1 Monster Way
Corona, CA 92879

CLASS 43: Restaurant services; bar services

FIRST USE 10-17-2016; IN COMMERCE 10-17-2016

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY
PARTICULAR FONT STYLE, SIZE OR COLOR

OWNER OF U.S. REG. NO. 3057061

SER. NO. 86-133,110, FILED 12-02-2013
GEOFFREY A FOSDICK, EXAMINING ATTORNEY




Michelle K. Lee

Director of the United States
Patent and Trademark Office

TTAB Opposition No.: _____
Monster Energy Company v. Queso Monster, LLC

EXHIBIT 2



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Word Mark	M MONSTER ENERGY
Goods and Services	IC 043. US 100 101. G & S: Restaurant services; bar services. FIRST USE: 20161017. FIRST USE IN COMMERCE: 20161017
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	03.17.03 - Claws ; Feet, bird ; Parts of birds: claws, talons, feet, foot tracks ; Talons ; Tracks, bird 27.03.05 - Objects forming letters or numerals
Serial Number	86131120
Filing Date	November 27, 2013
Current Basis	1A
Original Filing Basis	1B
Published for Opposition	February 18, 2014
Registration Number	5114853
Registration Date	January 3, 2017
Owner	(REGISTRANT) Monster Energy Company CORPORATION DELAWARE 1 Monster Way Corona CALIFORNIA 92879
Attorney of Record	Jessica Sganga
Prior Registrations	3134841
Description of Mark	Color is not claimed as a feature of the mark. The mark consists of the letter "M" in the form of a claw above the words "MONSTER ENERGY".

TTAB Opposition No.: _____

Monster Energy Company v. Queso Monster, LLC

Trademark Electronic Search System (TESS)

Type of Mark	SERVICE MARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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For Serial Number: 86131120

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United States of America

United States Patent and Trademark Office



Reg. No. 5,114,853

Registered Jan. 03, 2017

Int. Cl.: 43

Service Mark

Principal Register

Monster Energy Company (DELAWARE CORPORATION)
1 Monster Way
Corona, CA 92879

CLASS 43: Restaurant services; bar services

FIRST USE 10-17-2016; IN COMMERCE 10-17-2016

The mark consists of the letter "M" in the form of a claw above the words "MONSTER ENERGY".

OWNER OF U.S. REG. NO. 3134841

SER. NO. 86-131,120, FILED 11-27-2013
GEOFFREY A FOSDICK, EXAMINING ATTORNEY



Michelle K. Lee

Director of the United States
Patent and Trademark Office

TTAB Opposition No.: _____
Monster Energy Company v. Queso Monster, LLC

EXHIBIT 3

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JAVA MONSTER

Word Mark JAVA MONSTER

Goods and Services IC 043. US 100 101. G & S: Bar services; Café services; Coffee bars; Mobile restaurant services; Restaurant services; Mobile café services for providing food and drink. FIRST USE: 20130300. FIRST USE IN COMMERCE: 20130300

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 87911544

Filing Date May 8, 2018

Current Basis 1A

Original Filing Basis 1A

Published for Opposition September 18, 2018

Registration Number 5689189

Registration Date March 5, 2019

Owner (REGISTRANT) Monster Energy Company CORPORATION DELAWARE 1 Monster Way Corona CALIFORNIA 92879

Attorney of

TTAB Opposition No.: _____

Monster Energy Company v. Queso Monster, LLC

Trademark Electronic Search System (TESS)

Record	Jessica Sganga
Prior Registrations	3959457;4865714;5018111;AND OTHERS
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "JAVA" APART FROM THE MARK AS SHOWN
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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For Serial Number: 87911544

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United States of America

United States Patent and Trademark Office

JAVA MONSTER

Reg. No. 5,689,189

Registered Mar. 05, 2019

Int. Cl.: 43

Service Mark

Principal Register

Monster Energy Company (DELAWARE CORPORATION)
1 Monster Way
Corona, CALIFORNIA 92879

CLASS 43: Bar services; Café services; Coffee bars; Mobile restaurant services; Restaurant services; Mobile café services for providing food and drink

FIRST USE 3-00-2013; IN COMMERCE 3-00-2013

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT STYLE, SIZE OR COLOR

OWNER OF U.S. REG. NO. 4865714, 3959457, 5018111

No claim is made to the exclusive right to use the following apart from the mark as shown:
"JAVA"

SER. NO. 87-911,544, FILED 05-08-2018




Andrei Iancu

Director of the United States
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Monster Energy Company v. Queso Monster, LLC

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Typed Drawing

Word Mark MONSTER ENERGY

Goods and Services IC 032. US 045 046 048. G & S: Fruit juice drinks having a juice content of 50% or less by volume that are shelf stable, carbonated soft drinks, carbonated drinks enhanced with vitamins, minerals, nutrients, amino acids and/or herbs, [aerated water, soda water and seltzer water,] but excluding perishable beverage products that contain fruit juice or soy, whether such products are pasteurized or not. FIRST USE: 20020327. FIRST USE IN COMMERCE: 20020418

Mark Drawing Code (1) TYPED DRAWING

Serial Number 78122679

Filing Date April 18, 2002

Current Basis 1A

Original Filing Basis 1A

Published for Opposition March 11, 2003

Registration Number 3057061

Registration Date February 7, 2006

Owner (REGISTRANT) Hansen Beverage Company CORPORATION DELAWARE 550 Monica Circle Suite 201 Corona CALIFORNIA 92880

(LAST LISTED OWNER) MONSTER ENERGY COMPANY CORPORATION DELAWARE 1 Monster Way Corona CALIFORNIA 92879

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record Jessica Sganga

TTAB Opposition No.: _____

Monster Energy Company v. Queso Monster, LLC

Trademark Electronic Search System (TESS)

Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "ENERGY" APART FROM THE MARK AS SHOWN
Type of Mark	TRADEMARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20150305.
Renewal	1ST RENEWAL 20150305
Live/Dead Indicator	LIVE

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Trademark Assignment Abstract of Title

Total Assignments: 1

Serial #: [78122679](#)

Filing Dt: 04/18/2002

Reg #: [3057061](#)

Reg. Dt: 02/07/2006

Registrant: Hansen Beverage Company

Mark: MONSTER ENERGY

Assignment: 1

Reel/Frame: [4699/0063](#)

Recorded: 01/13/2012

Pages: 10

Conveyance: CHANGE OF NAME

Assignor: [HANSEN BEVERAGE COMPANY](#)

Exec Dt: 01/05/2012

Entity Type: CORPORATION

Citizenship: DELAWARE

Assignee: [MONSTER ENERGY COMPANY](#)550 MONICA CIRCLE, SUITE 201
CORONA, CALIFORNIA 92880

Entity Type: CORPORATION

Citizenship: DELAWARE

Correspondent: DIANE M. REED

2040 MAIN STREET, 14TH FLOOR
IRVINE, CA 92614

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Int. Cl.: 32

Prior U.S. Cls.: 45, 46 and 48

Reg. No. 3,057,061

United States Patent and Trademark Office

Registered Feb. 7, 2006

**TRADEMARK
PRINCIPAL REGISTER**

MONSTER ENERGY

HANSEN BEVERAGE COMPANY (DELAWARE
CORPORATION)
1010 RAILROAD STREET
CORONA, CA 92882

FOR: FRUIT JUICE DRINKS HAVING A JUICE
CONTENT OF 50% OR LESS BY VOLUME THAT
ARE SHELF STABLE, CARBONATED SOFT
DRINKS, CARBONATED DRINKS ENHANCED
WITH VITAMINS, MINERALS, NUTRIENTS, AMI-
NO ACIDS AND/OR HERBS, AERATED WATER,
SODA WATER AND SELTZER WATER, BUT EX-
CLUDING PERISHABLE BEVERAGE PRODUCTS
THAT CONTAIN FRUIT JUICE OR SOY, WHETHER

SUCH PRODUCTS ARE PASTEURIZED OR NOT, IN
CLASS 32 (U.S. CLS. 45, 46 AND 48).

FIRST USE 3-27-2002; IN COMMERCE 4-18-2002.


NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "ENERGY", APART FROM THE
MARK AS SHOWN.

SER. NO. 78-122,679, FILED 4-18-2002.

ANN E. SAPPENFIELD, EXAMINING ATTORNEY

TTAB Opposition No.: _____
Monster Energy Company v. Queso Monster, LLC

EXHIBIT 5



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MONSTER REHAB

Word Mark	MONSTER REHAB
Goods and Services	IC 030. US 046. G & S: Ready to drink tea, iced tea and tea based beverages; ready to drink flavored tea, iced tea and tea based beverages. FIRST USE: 20110200. FIRST USE IN COMMERCE: 20110200
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	85406210
Filing Date	August 24, 2011
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	December 27, 2011
Registration Number	4111964
Registration Date	March 13, 2012
Owner	(REGISTRANT) Hansen Beverage Company CORPORATION DELAWARE 1 Monster Way Corona CALIFORNIA 92879 (LAST LISTED OWNER) MONSTER ENERGY COMPANY CORPORATION DELAWARE 1 Monster Way Corona CALIFORNIA 92879
Assignment Recorded	ASSIGNMENT RECORDED

TTAB Opposition No.: _____

Monster Energy Company v. Queso Monster, LLC

Trademark Electronic Search System (TESS)

Attorney of Record Jessica Sganga
Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20210729.
Renewal 1ST RENEWAL 20210729
Live/Dead Indicator LIVE

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Trademark Assignment Abstract of Title

Total Assignments: 1

Serial #: [85406210](#)

Filing Dt: 08/24/2011

Reg #: [4111964](#)

Reg. Dt: 03/13/2012

Registrant: Hansen Beverage Company

Mark: MONSTER REHAB

Assignment: 1

Reel/Frame: [4699/0063](#)

Recorded: 01/13/2012

Pages: 10

Conveyance: CHANGE OF NAME

Assignor: [HANSEN BEVERAGE COMPANY](#)

Exec Dt: 01/05/2012

Entity Type: CORPORATION

Citizenship: DELAWARE

Entity Type: CORPORATION

Citizenship: DELAWARE

Assignee: [MONSTER ENERGY COMPANY](#)550 MONICA CIRCLE, SUITE 201
CORONA, CALIFORNIA 92880

Correspondent: DIANE M. REED

2040 MAIN STREET, 14TH FLOOR
IRVINE, CA 92614

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United States of America

United States Patent and Trademark Office

MONSTER REHAB

Reg. No. 4,111,964

Registered Mar. 13, 2012

Int. Cl.: 30

TRADEMARK

PRINCIPAL REGISTER

HANSEN BEVERAGE COMPANY (DELAWARE CORPORATION)
SUITE 201
550 MONICA CIRCLE
CORONA, CA 92880

FOR: READY TO DRINK TEA, ICED TEA AND TEA BASED BEVERAGES; READY TO DRINK FLAVORED TEA, ICED TEA AND TEA BASED BEVERAGES, IN CLASS 30 (U.S. CL. 46).

FIRST USE 2-0-2011; IN COMMERCE 2-0-2011.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SER. NO. 85-406,210, FILED 8-24-2011.

RONALD DELGIZZI, EXAMINING ATTORNEY




David J. Kybas

Director of the United States Patent and Trademark Office

TTAB Opposition No.: _____
Monster Energy Company v. Queso Monster, LLC

EXHIBIT 6



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Record 1 out of 1

TSDR ASSIGN Status TTAB Status

(Use the "Back" button of the Internet Browser to return to TESS)

Typed Drawing

Word Mark MONSTER ENERGY

Goods and Services IC 005. US 006 018 044 046 051 052. G & S: nutritional supplements in liquid [and non-liquid] form, but excluding perishable beverage products that contain fruit juice or soy, whether such products are pasteurized or not. FIRST USE: 20020327. FIRST USE IN COMMERCE: 20020418

Mark Drawing Code (1) TYPED DRAWING

Serial Number 78253933

Filing Date May 23, 2003

Current Basis 1A

Original Filing Basis 1A

Published for Opposition September 7, 2004

Change In Registration CHANGE IN REGISTRATION HAS OCCURRED

Registration Number 3044315

Registration Date January 17, 2006

Owner (REGISTRANT) Hansen Beverage Company CORPORATION DELAWARE 550 Monica Circle Suite 201 Corona CALIFORNIA 92880

(LAST LISTED OWNER) MONSTER ENERGY COMPANY CORPORATION DELAWARE 1 Monster Way Corona CALIFORNIA 92879

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record Jessica Sganga

TTAB Opposition No.: _____

Monster Energy Company v. Queso Monster, LLC

Trademark Electronic Search System (TESS)

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "ENERGY" APART FROM THE MARK AS SHOWN

Type of Mark TRADEMARK

Register PRINCIPAL

Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20150221.

Renewal 1ST RENEWAL 20150221

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Trademark Assignment Abstract of Title

Total Assignments: 1

Serial #: [78253933](#)

Filing Dt: 05/23/2003

Reg #: [3044315](#)

Reg. Dt: 01/17/2006

Registrant: Hansen Beverage Company

Mark: MONSTER ENERGY

Assignment: 1

Reel/Frame: [4699/0063](#)

Recorded: 01/13/2012

Pages: 10

Conveyance: CHANGE OF NAME

Assignor: [HANSEN BEVERAGE COMPANY](#)

Exec Dt: 01/05/2012

Entity Type: CORPORATION

Citizenship: DELAWARE

Entity Type: CORPORATION

Citizenship: DELAWARE

Assignee: [MONSTER ENERGY COMPANY](#)550 MONICA CIRCLE, SUITE 201
CORONA, CALIFORNIA 92880

Correspondent: DIANE M. REED

2040 MAIN STREET, 14TH FLOOR
IRVINE, CA 92614

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United States of America

United States Patent and Trademark Office

MONSTER ENERGY

Reg. No. 3,044,315

MONSTER ENERGY COMPANY (DELAWARE CORPORATION)

Registered Jan. 17, 2006

1 MONSTER WAY
CORONA, CA 92879

Amended Sep. 24, 2013

FOR: NUTRITIONAL SUPPLEMENTS IN LIQUID [AND NON-LIQUID] FORM, BUT EXCLUDING PERISHABLE BEVERAGE PRODUCTS THAT CONTAIN FRUIT JUICE OR SOY, WHETHER SUCH PRODUCTS ARE PASTEURIZED OR NOT, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

Int. Cl.: 5

TRADEMARK

FIRST USE 3-27-2002; IN COMMERCE 4-18-2002.

PRINCIPAL REGISTER

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "ENERGY", APART FROM THE MARK AS SHOWN.

SER. NO. 78-253,933, FILED 5-23-2003.



Lisa M. Smith

Deputy Director of the United States Patent and Trademark Office

TTAB Opposition No.: _____
Monster Energy Company v. Queso Monster, LLC

EXHIBIT 7



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JAVA MONSTER

Word Mark	JAVA MONSTER
Goods and Services	IC 030. US 046. G & S: Ready to drink coffee, iced coffee and coffee based beverages; ready to drink flavored coffee, iced coffee and coffee based beverages. FIRST USE: 20070427. FIRST USE IN COMMERCE: 20070427
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	86940425
Filing Date	March 15, 2016
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	May 24, 2016
Registration Number	5018111
Registration Date	August 9, 2016
Owner	(REGISTRANT) Monster Energy Company CORPORATION DELAWARE 1 Monster Way Corona CALIFORNIA 92879
Attorney of Record	Jessica Sganga

TTAB Opposition No.: _____

Monster Energy Company v. Queso Monster, LLC

Trademark Electronic Search System (TESS)

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "JAVA" APART FROM THE MARK AS SHOWN

Type of Mark TRADEMARK

Register PRINCIPAL

Affidavit Text SECT 15. SECT 8 (6-YR).

Live/Dead Indicator LIVE

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TTAB Opposition No.: _____

Monster Energy Company v. Queso Monster, LLC

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No assignment has been recorded at the USPTO

For Serial Number: 86940425

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United States of America

United States Patent and Trademark Office

JAVA MONSTER

Reg. No. 5,018,111

Registered Aug. 09, 2016

Int. Cl.: 30

Trademark

Principal Register

Monster Energy Company (DELAWARE CORPORATION)
1 Monster Way
Corona, CA 92879

CLASS 30: Ready to drink coffee, iced coffee and coffee based beverages; ready to drink flavored coffee, iced coffee and coffee based beverages

FIRST USE 4-27-2007; IN COMMERCE 4-27-2007

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT STYLE, SIZE OR COLOR

No claim is made to the exclusive right to use the following apart from the mark as shown:
"JAVA"

SER. NO. 86-940,425, FILED 03-15-2016

GEOFFREY A FOSDICK, EXAMINING ATTORNEY




Michelle K. Lee

Director of the United States
Patent and Trademark Office

TTAB Opposition No.: _____
Monster Energy Company v. Queso Monster, LLC

EXHIBIT 8



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TSDR ASSIGN Status TTAB Status

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MONSTER REHAB

Word Mark MONSTER REHAB

Goods and Services IC 005. US 006 018 044 046 051 052. G & S: Nutritional supplements in liquid form. FIRST USE: 20110302. FIRST USE IN COMMERCE: 20110302

IC 032. US 045 046 048. G & S: Beverages, namely, non-alcoholic non-carbonated drinks enhanced with vitamins, minerals, nutrients, proteins, amino acids and/or herbs; non-carbonated energy or sports drinks, fruit juice drinks having a juice content of 50% or less by volume that are shelf-stable; all the foregoing goods exclude perishable beverage products that contain fruit juice or soy, whether such products are pasteurized or not. FIRST USE: 20110302. FIRST USE IN COMMERCE: 20110302

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 85078405

Filing Date July 6, 2010

Current Basis 1A

Original Filing Basis 1B

Published for Opposition November 29, 2011

Registration Number 4129288

Registration Date April 17, 2012
Owner (REGISTRANT) MONSTER ENERGY COMPANY CORPORATION DELAWARE 1 Monster Way
Corona CALIFORNIA 92879
Assignment Recorded ASSIGNMENT RECORDED
Attorney of Record Jessica Sganga
Prior Registrations 3057061;3134842;3353473;AND OTHERS
Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20210814.
Renewal 1ST RENEWAL 20210814
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Trademark Assignment Abstract of Title

Total Assignments: 1

Serial #: [85078405](#)

Filing Dt: 07/06/2010

Reg #: [4129288](#)

Reg. Dt: 04/17/2012

Registrant: MONSTER ENERGY COMPANY

Mark: MONSTER REHAB

Assignment: 1

Reel/Frame: [4699/0063](#)

Recorded: 01/13/2012

Pages: 10

Conveyance: CHANGE OF NAME

Assignor: [HANSEN BEVERAGE COMPANY](#)

Exec Dt: 01/05/2012

Entity Type: CORPORATION

Citizenship: DELAWARE

Assignee: [MONSTER ENERGY COMPANY](#)550 MONICA CIRCLE, SUITE 201
CORONA, CALIFORNIA 92880

Entity Type: CORPORATION

Citizenship: DELAWARE

Correspondent: DIANE M. REED

2040 MAIN STREET, 14TH FLOOR
IRVINE, CA 92614

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United States of America

United States Patent and Trademark Office

MONSTER REHAB

Reg. No. 4,129,288

Registered Apr. 17, 2012

Int. Cls.: 5 and 32

TRADEMARK

PRINCIPAL REGISTER

MONSTER ENERGY COMPANY (DELAWARE CORPORATION)
550 MONICA CIRCLE, SUITE 201
CORONA, CA 92880

FOR: NUTRITIONAL SUPPLEMENTS IN LIQUID FORM, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 3-2-2011; IN COMMERCE 3-2-2011.

FOR: BEVERAGES, NAMELY, NON-ALCOHOLIC NON-CARBONATED DRINKS ENHANCED WITH VITAMINS, MINERALS, NUTRIENTS, PROTEINS, AMINO ACIDS AND/OR HERBS; NON-CARBONATED ENERGY OR SPORTS DRINKS, FRUIT JUICE DRINKS HAVING A JUICE CONTENT OF 50% OR LESS BY VOLUME THAT ARE SHELF-STABLE; ALL THE FOREGOING GOODS EXCLUDE PERISHABLE BEVERAGE PRODUCTS THAT CONTAIN FRUIT JUICE OR SOY, WHETHER SUCH PRODUCTS ARE PASTEURIZED OR NOT, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

FIRST USE 3-2-2011; IN COMMERCE 3-2-2011.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 3,057,061, 3,353,473, AND OTHERS.

SN 85-078,405, FILED 7-6-2010.

GEOFFREY FOSDICK, EXAMINING ATTORNEY




David J. Kybas

Director of the United States Patent and Trademark Office

TTAB Opposition No.: _____
Monster Energy Company v. Queso Monster, LLC

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JAVA MONSTER

Word Mark JAVA MONSTER

Goods and Services IC 032. US 045 046 048. G & S: Beverages, namely, soft drinks; non-carbonated energy drinks; non-carbonated sports drinks; soft drinks and non-carbonated energy drinks, all enhanced with vitamins, minerals, nutrients, amino acids, and/or herbs, but excluding perishable beverage products that contain fruit juice or soy, whether such products are pasteurized or not. FIRST USE: 20070427. FIRST USE IN COMMERCE: 20070427

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 78769836

Filing Date December 8, 2005

Current Basis 1A

Original Filing Basis 1B

Published for Opposition January 11, 2011

Registration Number 3959457

Registration Date May 10, 2011

Owner (REGISTRANT) Hansen Beverage Company CORPORATION DELAWARE 550 Monica Circle Suite

TTAB Opposition No.: _____

Monster Energy Company v. Queso Monster, LLC

Trademark Electronic Search System (TESS)

201 Corona CALIFORNIA 92880

(LAST LISTED OWNER) MONSTER ENERGY COMPANY CORPORATION DELAWARE 1 Monster Way Corona CALIFORNIA 92879

**Assignment
Recorded**

ASSIGNMENT RECORDED

**Attorney of
Record**

Jessica Sganga

**Prior
Registrations**

3044314;3044315

Disclaimer

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "JAVA" APART FROM THE MARK AS SHOWN

**Type of
Mark**

TRADEMARK

Register

PRINCIPAL

**Affidavit
Text**

SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20200801.

Renewal

1ST RENEWAL 20200801

**Live/Dead
Indicator**

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Trademark Assignment Abstract of Title

Total Assignments: 1

Serial #: [78769836](#)

Filing Dt: 12/08/2005

Reg #: [3959457](#)

Reg. Dt: 05/10/2011

Registrant: Hansen Beverage Company

Mark: JAVA MONSTER

Assignment: 1

Reel/Frame: [4699/0063](#)

Recorded: 01/13/2012

Pages: 10

Conveyance: CHANGE OF NAME

Assignor: [HANSEN BEVERAGE COMPANY](#)

Exec Dt: 01/05/2012

Entity Type: CORPORATION

Citizenship: DELAWARE

Entity Type: CORPORATION

Citizenship: DELAWARE

Assignee: [MONSTER ENERGY COMPANY](#)550 MONICA CIRCLE, SUITE 201
CORONA, CALIFORNIA 92880

Correspondent: DIANE M. REED

2040 MAIN STREET, 14TH FLOOR
IRVINE, CA 92614

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United States of America

United States Patent and Trademark Office

JAVA MONSTER

Reg. No. 3,959,457

Registered May 10, 2011

Int. Cl.: 32

TRADEMARK

PRINCIPAL REGISTER

HANSEN BEVERAGE COMPANY (DELAWARE CORPORATION)
550 MONICA CIRCLE
SUITE 201
CORONA, CA 92880

FOR: BEVERAGES, NAMELY, SOFT DRINKS; NON-CARBONATED ENERGY DRINKS; NON-CARBONATED SPORTS DRINKS; SOFT DRINKS AND NON-CARBONATED ENERGY DRINKS, ALL ENHANCED WITH VITAMINS, MINERALS, NUTRIENTS, AMINO ACIDS, AND/OR HERBS, BUT EXCLUDING PERISHABLE BEVERAGE PRODUCTS THAT CONTAIN FRUIT JUICE OR SOY, WHETHER SUCH PRODUCTS ARE PASTEURIZED OR NOT, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

FIRST USE 4-27-2007; IN COMMERCE 4-27-2007.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 3,044,314 AND 3,044,315.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "JAVA" , APART FROM THE MARK AS SHOWN.

SN 78-769,836, FILED 12-8-2005.

RAMONA ORTIGA, EXAMINING ATTORNEY



David J. Kypos

Director of the United States Patent and Trademark Office

TTAB Opposition No.: _____
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EXHIBIT 10



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MUSCLE MONSTER

Word Mark MUSCLE MONSTER

Goods and Services IC 005. US 006 018 044 046 051 052. G & S: Nutritional supplements in liquid form. FIRST USE: 20130318. FIRST USE IN COMMERCE: 20130318

IC 032. US 045 046 048. G & S: Beverages, namely, soft drinks; non-alcoholic and non-carbonated drinks enhanced with vitamins, minerals, nutrients, proteins, amino acids and/or herbs; non-carbonated energy or sports drinks; all the foregoing goods exclude perishable beverage products that contain fruit juice or soy, whether such products are pasteurized or not. FIRST USE: 20130318. FIRST USE IN COMMERCE: 20130318

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 85077052

Filing Date July 2, 2010

Current Basis 1A

Original Filing Basis 1B

Published for Opposition April 19, 2011

Registration Number 4376796

International**Registration Number** 1209858**Registration Date** July 30, 2013**Owner** (REGISTRANT) MONSTER ENERGY COMPANY CORPORATION DELAWARE 1 Monster Way
Corona CALIFORNIA 92879**Assignment Recorded** ASSIGNMENT RECORDED**Attorney of Record** Jessica Sganga**Prior Registrations** 3044314;3057061;3134842;AND OTHERS**Type of Mark** TRADEMARK**Register** PRINCIPAL**Affidavit Text** SECT 15. SECT 8 (6-YR).**Live/Dead Indicator** LIVE[TESS HOME](#)[NEW USER](#)[STRUCTURED](#)[FREE FORM](#)[BROWSE DICT](#)[SEARCH OG](#)[TOP](#)[HELP](#)[|HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)



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Trademark Assignment Abstract of Title

Total Assignments: 1

Serial #: [85077052](#)

Filing Dt: 07/02/2010

Reg #: [4376796](#)

Reg. Dt: 07/30/2013

Registrant: MONSTER ENERGY COMPANY

Mark: MUSCLE MONSTER

Assignment: 1

Reel/Frame: [4699/0063](#)

Recorded: 01/13/2012

Pages: 10

Conveyance: CHANGE OF NAME

Assignor: [HANSEN BEVERAGE COMPANY](#)

Exec Dt: 01/05/2012

Entity Type: CORPORATION

Citizenship: DELAWARE

Assignee: [MONSTER ENERGY COMPANY](#)

Entity Type: CORPORATION

Citizenship: DELAWARE

550 MONICA CIRCLE, SUITE 201
CORONA, CALIFORNIA 92880

Correspondent: DIANE M. REED

2040 MAIN STREET, 14TH FLOOR
IRVINE, CA 92614

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United States of America

United States Patent and Trademark Office

MUSCLE MONSTER

Reg. No. 4,376,796

Registered July 30, 2013

Int. Cls.: 5 and 32

TRADEMARK

PRINCIPAL REGISTER

MONSTER ENERGY COMPANY (DELAWARE CORPORATION)
550 MONICA CIRCLE, SUITE 201
CORONA, CA 92880

FOR: NUTRITIONAL SUPPLEMENTS IN LIQUID FORM, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 3-18-2013; IN COMMERCE 3-18-2013.

FOR: BEVERAGES, NAMELY, SOFT DRINKS; NON-ALCOHOLIC AND NON-CARBONATED DRINKS ENHANCED WITH VITAMINS, MINERALS, NUTRIENTS, PROTEINS, AMINO ACIDS AND/OR HERBS; NON-CARBONATED ENERGY OR SPORTS DRINKS; ALL THE FOREGOING GOODS EXCLUDE PERISHABLE BEVERAGE PRODUCTS THAT CONTAIN FRUIT JUICE OR SOY, WHETHER SUCH PRODUCTS ARE PASTEURIZED OR NOT, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

FIRST USE 3-18-2013; IN COMMERCE 3-18-2013.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 3,044,314, 3,134,842, AND OTHERS.

SN 85-077,052, FILED 7-2-2010.

GRETCHEN ULRICH, EXAMINING ATTORNEY



Lisa M. Smith

Acting Director of the United States Patent and Trademark Office

TTAB Opposition No.: _____
Monster Energy Company v. Queso Monster, LLC

EXHIBIT 11



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Record 1 out of 1[TSDR](#)[ASSIGN Status](#)[TTAB Status](#)*(Use the "Back" button of the Internet Browser to return to TESS)***MUSCLE MONSTER****Word Mark**

MUSCLE MONSTER

Goods and Services
 IC 005. US 006 018 044 046 051 052. G & S: Vitamin fortified beverages. FIRST USE: 20130318.
 FIRST USE IN COMMERCE: 20130318

IC 029. US 046. G & S: Dairy-based beverages; dairy-based energy shakes; energy shakes; [coffee energy shakes;] chocolate energy shakes. FIRST USE: 20130318. FIRST USE IN COMMERCE: 20130318

IC 030. US 046. G & S: [Ready to drink coffee based beverages;] ready to drink chocolate-based beverages. FIRST USE: 20130318. FIRST USE IN COMMERCE: 20130318

Standard Characters Claimed**Mark Drawing Code**

(4) STANDARD CHARACTER MARK

Serial Number

86006264

Filing Date

July 10, 2013

Current Basis

1A

Original Filing Basis

1A

Published for Opposition

October 1, 2013

Registration Number

4451535

International Registration Number

1209858

Registration Date	December 17, 2013
Owner	(REGISTRANT) Monster Energy Company CORPORATION DELAWARE 1 Monster Way Corona CALIFORNIA 92879
Attorney of Record	Jessica Sganga
Prior Registrations	3966554;4036680;AND OTHERS
Type of Mark	TRADEMARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR).
Live/Dead Indicator	LIVE

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TTAB Opposition No.: _____

Monster Energy Company v. Queso Monster, LLC

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No assignment has been recorded at the USPTO

For Serial Number: 86006264

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Web interface last modified: August 25, 2017 v.2.6

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United States of America

United States Patent and Trademark Office

MUSCLE MONSTER

Reg. No. 4,451,535

Registered Dec. 17, 2013

Int. Cls.: 5, 29 and 30

TRADEMARK

PRINCIPAL REGISTER

MONSTER ENERGY COMPANY (DELAWARE CORPORATION)
1 MONSTER WAY
CORONA, CA 92879

FOR: VITAMIN FORTIFIED BEVERAGES, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 3-18-2013; IN COMMERCE 3-18-2013.

FOR: DAIRY-BASED BEVERAGES; DAIRY-BASED ENERGY SHAKES; ENERGY SHAKES;
COFFEE ENERGY SHAKES; CHOCOLATE ENERGY SHAKES, IN CLASS 29 (U.S. CL. 46).

FIRST USE 3-18-2013; IN COMMERCE 3-18-2013.

FOR: READY TO DRINK COFFEE BASED BEVERAGES; READY TO DRINK CHOCOLATE-
BASED BEVERAGES, IN CLASS 30 (U.S. CL. 46).

FIRST USE 3-18-2013; IN COMMERCE 3-18-2013.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PAR-
TICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 3,966,554, 4,036,680 AND OTHERS.

SER. NO. 86-006,264, FILED 7-10-2013.

GEOFFREY FOSDICK, EXAMINING ATTORNEY




Deborah S. Cohn

Commissioner for Trademarks of the
United States Patent and Trademark Office

TTAB Opposition No.: _____
Monster Energy Company v. Queso Monster, LLC

EXHIBIT 12



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MONSTER ASSAULT

Word Mark MONSTER ASSAULT

Goods and Services IC 005. US 006 018 044 046 051 052. G & S: Nutritional supplements in liquid form; vitamin fortified beverages. FIRST USE: 20080500. FIRST USE IN COMMERCE: 20080500

IC 032. US 045 046 048. G & S: Non-alcoholic beverages, namely, energy drinks, [energy drinks flavored with juice,] sports drinks, all enhanced with vitamins, minerals, nutrients, proteins, amino acids, and/or herbs, but excluding perishable beverage products that contain fruit juice or soy, whether such products are pasteurized or not. FIRST USE: 20080500. FIRST USE IN COMMERCE: 20080500

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 86120138

Filing Date November 15, 2013

Current Basis 1A

Original Filing Basis 1B

Published for Opposition January 7, 2014

Registration Number 4634053

Registration November 4, 2014

Date**Owner** (REGISTRANT) Monster Energy Company CORPORATION DELAWARE 1 Monster Way Corona CALIFORNIA 92879**Attorney of Record** Jessica Sganga**Prior Registrations** 3357068;3924797;3949989**Type of Mark** TRADEMARK**Register** PRINCIPAL**Affidavit Text** SECT 15. SECT 8 (6-YR).**Live/Dead Indicator** LIVE[TESS HOME](#) [NEW USER](#) [STRUCTURED](#) [FREE FORM](#) [BROWSE DICT](#) [SEARCH OG](#) [TOP](#) [HELP](#)[HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)

TTAB Opposition No.: _____

Monster Energy Company v. Queso Monster, LLC

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No assignment has been recorded at the USPTO

For Serial Number: 86120138

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United States of America

United States Patent and Trademark Office

MONSTER ASSAULT

Reg. No. 4,634,053

Registered Nov. 4, 2014

Int. Cls.: 5 and 32

TRADEMARK

PRINCIPAL REGISTER

MONSTER ENERGY COMPANY (DELAWARE CORPORATION)
1 MONSTER WAY
CORONA, CA 92879

FOR: NUTRITIONAL SUPPLEMENTS IN LIQUID FORM; VITAMIN FORTIFIED BEVERAGES,
IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 5-0-2008; IN COMMERCE 5-0-2008.

FOR: NON-ALCOHOLIC BEVERAGES, NAMELY, ENERGY DRINKS, ENERGY DRINKS
FLAVORED WITH JUICE, SPORTS DRINKS, ALL ENHANCED WITH VITAMINS, MINER-
ALS, NUTRIENTS, PROTEINS, AMINO ACIDS, AND/OR HERBS, BUT EXCLUDING PER-
ISHABLE BEVERAGE PRODUCTS THAT CONTAIN FRUIT JUICE OR SOY, WHETHER
SUCH PRODUCTS ARE PASTEURIZED OR NOT, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

FIRST USE 5-0-2008; IN COMMERCE 5-0-2008.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PAR-
TICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 3,357,068, 3,924,797, AND 3,949,989.

SN 86-120,138, FILED 11-15-2013.

GEOFFREY FOSDICK, EXAMINING ATTORNEY



Nichelle K. Lee

Deputy Director of the United States
Patent and Trademark Office

TTAB Opposition No.: _____
Monster Energy Company v. Queso Monster, LLC

EXHIBIT 13



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MONSTER ENERGY

Word Mark	MONSTER ENERGY
Goods and Services	IC 032. US 045 046 048. G & S: Non-alcoholic beverages, namely, energy drinks, excluding perishable beverage products that contain fruit juice or soy. FIRST USE: 20020327. FIRST USE IN COMMERCE: 20020418
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	77276989
Filing Date	September 11, 2007
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	July 26, 2011
Registration Number	4036681
Registration Date	October 11, 2011
Owner	(REGISTRANT) Hansen Beverage Company CORPORATION DELAWARE 550 Monica Circle Suite 201 Corona CALIFORNIA 92880 (LAST LISTED OWNER) MONSTER ENERGY COMPANY CORPORATION DELAWARE 1 Monster Way Corona CALIFORNIA 92879

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record Jessica Sganga

Prior Registrations 3044314;3044315;3057061;3134841;3134842

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "ENERGY" APART FROM THE MARK AS SHOWN

Type of Mark TRADEMARK

Register PRINCIPAL

Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20210617.

Renewal 1ST RENEWAL 20210617

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Trademark Assignment Abstract of Title

Total Assignments: 1

Serial #: [77276989](#)

Filing Dt: 09/11/2007

Reg #: [4036681](#)

Reg. Dt: 10/11/2011

Registrant: Hansen Beverage Company

Mark: MONSTER ENERGY

Assignment: 1

Reel/Frame: [4699/0063](#)

Recorded: 01/13/2012

Pages: 10

Conveyance: CHANGE OF NAME

Assignor: [HANSEN BEVERAGE COMPANY](#)

Exec Dt: 01/05/2012

Entity Type: CORPORATION

Citizenship: DELAWARE

Entity Type: CORPORATION

Citizenship: DELAWARE

Assignee: [MONSTER ENERGY COMPANY](#)550 MONICA CIRCLE, SUITE 201
CORONA, CALIFORNIA 92880

Correspondent: DIANE M. REED

2040 MAIN STREET, 14TH FLOOR
IRVINE, CA 92614

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United States of America

United States Patent and Trademark Office

MONSTER ENERGY

Reg. No. 4,036,681

Registered Oct. 11, 2011

Int. Cl.: 32

TRADEMARK

PRINCIPAL REGISTER

HANSEN BEVERAGE COMPANY (DELAWARE CORPORATION)
550 MONICA CIRCLE
SUITE 201
CORONA, CA 92880

FOR: NON-ALCOHOLIC BEVERAGES, NAMELY, ENERGY DRINKS, EXCLUDING PERISHABLE BEVERAGE PRODUCTS THAT CONTAIN FRUIT JUICE OR SOY, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

FIRST USE 3-27-2002; IN COMMERCE 4-18-2002.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 3,044,314, 3,134,842 AND OTHERS.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "ENERGY", APART FROM THE MARK AS SHOWN.

SER. NO. 77-276,989, FILED 9-11-2007.

MICHAEL WIENER, EXAMINING ATTORNEY



David J. Kypos

Director of the United States Patent and Trademark Office

TTAB Opposition No.: _____
Monster Energy Company v. Queso Monster, LLC

EXHIBIT 14



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MONSTER ENERGY

Word Mark MONSTER ENERGY

Goods and Services IC 005. US 006 018 044 046 051 052. G & S: Nutritional supplements in liquid form. FIRST USE: 20020327. FIRST USE IN COMMERCE: 20020418

**Standard
Characters
Claimed**

**Mark Drawing
Code** (4) STANDARD CHARACTER MARK

Serial Number 77276979

Filing Date September 11, 2007

Current Basis 1A

**Original Filing
Basis** 1A

**Published for
Opposition** July 26, 2011

**Registration
Number** 4036680

Registration Date October 11, 2011

Owner (REGISTRANT) Hansen Beverage Company CORPORATION DELAWARE 550 Monica Circle
Suite 201 Corona CALIFORNIA 92880

(LAST LISTED OWNER) MONSTER ENERGY COMPANY CORPORATION DELAWARE 1
Monster Way Corona CALIFORNIA 92879

**Assignment
Recorded** ASSIGNMENT RECORDED

Attorney of Record Jessica Sganga

TTAB Opposition No.: _____

Monster Energy Company v. Queso Monster, LLC

Trademark Electronic Search System (TESS)

Prior Registrations 3044314;3044315;3057061;AND OTHERS

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "ENERGY" APART FROM THE MARK AS SHOWN

Type of Mark TRADEMARK

Register PRINCIPAL

Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20210617.

Renewal 1ST RENEWAL 20210617

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Trademark Assignment Abstract of Title

Total Assignments: 1

Serial #: [77276979](#)

Filing Dt: 09/11/2007

Reg #: [4036680](#)

Reg. Dt: 10/11/2011

Registrant: Hansen Beverage Company

Mark: MONSTER ENERGY

Assignment: 1

Reel/Frame: [4699/0063](#)

Recorded: 01/13/2012

Pages: 10

Conveyance: CHANGE OF NAME

Assignor: [HANSEN BEVERAGE COMPANY](#)

Exec Dt: 01/05/2012

Entity Type: CORPORATION

Citizenship: DELAWARE

Entity Type: CORPORATION

Citizenship: DELAWARE

Assignee: [MONSTER ENERGY COMPANY](#)550 MONICA CIRCLE, SUITE 201
CORONA, CALIFORNIA 92880

Correspondent: DIANE M. REED

2040 MAIN STREET, 14TH FLOOR
IRVINE, CA 92614

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United States of America

United States Patent and Trademark Office

MONSTER ENERGY

Reg. No. 4,036,680

Registered Oct. 11, 2011

Int. Cl.: 5

TRADEMARK

PRINCIPAL REGISTER

HANSEN BEVERAGE COMPANY (DELAWARE CORPORATION)
550 MONICA CIRCLE
SUITE 201
CORONA, CA 92880

FOR: NUTRITIONAL SUPPLEMENTS IN LIQUID FORM, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 3-27-2002; IN COMMERCE 4-18-2002.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 3,044,314, 3,057,061 AND OTHERS.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "ENERGY", APART FROM THE MARK AS SHOWN.

SER. NO. 77-276,979, FILED 9-11-2007.

MICHAEL WIENER, EXAMINING ATTORNEY




David J. Kybas

Director of the United States Patent and Trademark Office

TTAB Opposition No.: _____
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Typed Drawing

Word Mark M MONSTER ENERGY

Goods and Services IC 032. US 045 046 048. G & S: Beverages, namely, carbonated soft drinks, carbonated drinks enhanced with vitamins, minerals, nutrients, amino acids and/or herbs, carbonated [and non-carbonated] energy or sports drinks, fruit juice drinks having a juice content of 50% or less by volume that are shelf stable, [and water,] but excluding perishable beverage products that contain fruit juice or soy, whether such products are pasteurized or not. FIRST USE: 20020327. FIRST USE IN COMMERCE: 20020418

Mark Drawing Code (1) TYPED DRAWING

Serial Number 78246573

Filing Date May 7, 2003

Current Basis 1A

Original Filing Basis 1A

Published for Opposition June 6, 2006

Registration Number 3134842

Registration Date August 29, 2006

Owner (REGISTRANT) Hansen Beverage Company CORPORATION DELAWARE 550 Monica Circle Suite 201 Corona CALIFORNIA 92880

(LAST LISTED OWNER) MONSTER ENERGY COMPANY CORPORATION DELAWARE 1 Monster Way Corona CALIFORNIA 92879

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record Jessica Sganga

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "ENERGY" APART FROM THE MARK AS SHOWN

Type of Mark TRADEMARK

Register PRINCIPAL

Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20160315.

Renewal 1ST RENEWAL 20160315

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Trademark Assignment Abstract of Title

Total Assignments: 1

Serial #: [78246573](#)

Filing Dt: 05/07/2003

Reg #: [3134842](#)

Reg. Dt: 08/29/2006

Registrant: Hansen Beverage Company

Mark: M MONSTER ENERGY

Assignment: 1

Reel/Frame: [4699/0063](#)

Recorded: 01/13/2012

Pages: 10

Conveyance: CHANGE OF NAME

Assignor: [HANSEN BEVERAGE COMPANY](#)

Exec Dt: 01/05/2012

Entity Type: CORPORATION

Citizenship: DELAWARE

Entity Type: CORPORATION

Citizenship: DELAWARE

Assignee: [MONSTER ENERGY COMPANY](#)550 MONICA CIRCLE, SUITE 201
CORONA, CALIFORNIA 92880

Correspondent: DIANE M. REED

2040 MAIN STREET, 14TH FLOOR
IRVINE, CA 92614

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Int. Cl.: 32

Prior U.S. Cls.: 45, 46 and 48

Reg. No. 3,134,842

United States Patent and Trademark Office

Registered Aug. 29, 2006

**TRADEMARK
PRINCIPAL REGISTER**

M MONSTER ENERGY

HANSEN BEVERAGE COMPANY (DELAWARE
CORPORATION)
1010 RAILROAD STREET
CORONA, CA 92882

FOR: BEVERAGES, NAMELY, CARBONATED
SOFT DRINKS, CARBONATED DRINKS EN-
HANCED WITH VITAMINS, MINERALS, NUTRI-
ENTS, AMINO ACIDS AND/OR HERBS,
CARBONATED AND NON-CARBONATED ENER-
GY OR SPORTS DRINKS, FRUIT JUICE DRINKS
HAVING A JUICE CONTENT OF 50% OR LESS BY
VOLUME THAT ARE SHELF STABLE, AND WA-
TER, BUT EXCLUDING PERISHABLE BEVERAGE
PRODUCTS THAT CONTAIN FRUIT JUICE OR

SOY, WHETHER SUCH PRODUCTS ARE PASTEUR-
IZED OR NOT, IN CLASS 32 (U.S. CLS. 45, 46 AND
48).

FIRST USE 3-27-2002; IN COMMERCE 4-18-2002.


NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "ENERGY", APART FROM THE
MARK AS SHOWN.

SER. NO. 78-246,573, FILED 5-7-2003.

AMY HELLA, EXAMINING ATTORNEY

TTAB Opposition No.: _____
Monster Energy Company v. Queso Monster, LLC

EXHIBIT 16



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TSDR ASSIGN Status TTAB Status

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Typed Drawing

Word Mark M MONSTER ENERGY

Goods and Services IC 005. US 006 018 044 046 051 052. G & S: nutritional supplements in liquid [and non-liquid] form, but excluding perishable beverage products that contain fruit juice or soy, whether such products are pasteurized or not. FIRST USE: 20020327. FIRST USE IN COMMERCE: 20020418

Mark Drawing Code (1) TYPED DRAWING

Serial Number 78253930

Filing Date May 23, 2003

Current Basis 1A

Original Filing Basis 1A

Published for Opposition August 31, 2004

Change In Registration CHANGE IN REGISTRATION HAS OCCURRED

Registration Number 3044314

Registration Date January 17, 2006

Owner (REGISTRANT) Hansen Beverage Company CORPORATION DELAWARE 550 Monica Circle Suite 201 Corona CALIFORNIA 92880

(LAST LISTED OWNER) MONSTER ENERGY COMPANY CORPORATION DELAWARE 1 Monster Way Corona CALIFORNIA 92879

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record Jessica Sganga

TTAB Opposition No.: _____

Monster Energy Company v. Queso Monster, LLC

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Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "ENERGY" APART FROM THE MARK AS SHOWN

Type of Mark TRADEMARK

Register PRINCIPAL

Affidavit Text SECT 8 (6-YR). SECTION 8(10-YR) 20150221.

Renewal 1ST RENEWAL 20150221

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Trademark Assignment Abstract of Title

Total Assignments: 1

Serial #: [78253930](#)

Filing Dt: 05/23/2003

Reg #: [3044314](#)

Reg. Dt: 01/17/2006

Registrant: Hansen Beverage Company

Mark: M MONSTER ENERGY

Assignment: 1

Reel/Frame: [4699/0063](#)

Recorded: 01/13/2012

Pages: 10

Conveyance: CHANGE OF NAME

Assignor: [HANSEN BEVERAGE COMPANY](#)

Exec Dt: 01/05/2012

Entity Type: CORPORATION

Citizenship: DELAWARE

Entity Type: CORPORATION

Citizenship: DELAWARE

Assignee: [MONSTER ENERGY COMPANY](#)550 MONICA CIRCLE, SUITE 201
CORONA, CALIFORNIA 92880

Correspondent: DIANE M. REED

2040 MAIN STREET, 14TH FLOOR
IRVINE, CA 92614

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Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51 and 52

Reg. No. 3,044,314

United States Patent and Trademark Office

Registered Jan. 17, 2006

**TRADEMARK
PRINCIPAL REGISTER**

M MONSTER ENERGY

HANSEN BEVERAGE COMPANY (DELAWARE
CORPORATION)
1010 RAILROAD STREET
CORONA, CA 92882

FOR: NUTRITIONAL SUPPLEMENTS IN LIQUID
AND NON-LIQUID FORM, BUT EXCLUDING PER-
ISHABLE BEVERAGE PRODUCTS THAT CONTAIN
FRUIT JUICE OR SOY, WHETHER SUCH PRO-
DUCTS ARE PASTEURIZED OR NOT, IN CLASS 5
(U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 3-27-2002; IN COMMERCE 4-18-2002.


NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "ENERGY", APART FROM THE
MARK AS SHOWN.

SER. NO. 78-253,930, FILED 5-23-2003.

SUSAN HAYASH, EXAMINING ATTORNEY

TTAB Opposition No.: _____
Monster Energy Company v. Queso Monster, LLC

EXHIBIT 17



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LO-CARB MONSTER ENERGY

Word Mark	LO-CARB MONSTER ENERGY
Goods and Services	IC 005. US 006 018 044 046 051 052. G & S: Nutritional supplements. FIRST USE: 20030800. FIRST USE IN COMMERCE: 20030800 IC 032. US 045 046 048. G & S: Non-alcoholic beverages, namely, energy drinks, drinks enhanced with vitamins, minerals, nutrients, amino acids and/or herbs. FIRST USE: 20030800. FIRST USE IN COMMERCE: 20030800
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Trademark Search Facility Classification Code	LETS-2 LO Two letters or combinations of multiples of two letters NOTATION-SYMBOLS Notation Symbols such as Non-Latin characters,punctuation and mathematical signs,zodiac signs,prescription marks
Serial Number	77670729
Filing Date	February 13, 2009
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	June 23, 2009
Registration Number	3852118
Registration Date	September 28, 2010

Owner (REGISTRANT) Hansen Beverage Company CORPORATION DELAWARE Suite 201 550 Monica Circle Corona CALIFORNIA 92880

(LAST LISTED OWNER) MONSTER ENERGY COMPANY CORPORATION DELAWARE 1 Monster Way Corona CALIFORNIA 92879

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record Jessica Sganga

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "LO-CARB" AND "ENERGY" APART FROM THE MARK AS SHOWN

Type of Mark TRADEMARK

Register PRINCIPAL

Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20200405.

Renewal 1ST RENEWAL 20200405

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Trademark Assignment Abstract of Title

Total Assignments: 1

Serial #: [77670729](#)

Filing Dt: 02/13/2009

Reg #: [3852118](#)

Reg. Dt: 09/28/2010

Registrant: Hansen Beverage Company

Mark: LO-CARB MONSTER ENERGY

Assignment: 1

Reel/Frame: [4699/0063](#)

Recorded: 01/13/2012

Pages: 10

Conveyance: CHANGE OF NAME

Assignor: [HANSEN BEVERAGE COMPANY](#)

Exec Dt: 01/05/2012

Entity Type: CORPORATION

Citizenship: DELAWARE

Assignee: [MONSTER ENERGY COMPANY](#)550 MONICA CIRCLE, SUITE 201
CORONA, CALIFORNIA 92880

Entity Type: CORPORATION

Citizenship: DELAWARE

Correspondent: DIANE M. REED

2040 MAIN STREET, 14TH FLOOR
IRVINE, CA 92614

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United States of America

United States Patent and Trademark Office

LO-CARB MONSTER ENERGY

Reg. No. 3,852,118

Registered Sep. 28, 2010

Int. Cls.: 5 and 32

TRADEMARK

PRINCIPAL REGISTER

HANSEN BEVERAGE COMPANY (DELAWARE CORPORATION)
SUITE 201
550 MONICA CIRCLE
CORONA, CA 92880

FOR: NUTRITIONAL SUPPLEMENTS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 8-0-2003; IN COMMERCE 8-0-2003.

FOR: NON-ALCOHOLIC BEVERAGES, NAMELY, ENERGY DRINKS, DRINKS ENHANCED WITH VITAMINS, MINERALS, NUTRIENTS, AMINO ACIDS AND/OR HERBS, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

FIRST USE 8-0-2003; IN COMMERCE 8-0-2003.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "LO-CARB" AND "ENERGY", APART FROM THE MARK AS SHOWN.

SER. NO. 77-670,729, FILED 2-13-2009.

JILL PRATER, EXAMINING ATTORNEY



David J. Kybas

Director of the United States Patent and Trademark Office

TTAB Opposition No.: _____
Monster Energy Company v. Queso Monster, LLC

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MONSTER ENERGY ULTRA

Word Mark MONSTER ENERGY ULTRA

Goods and Services IC 005. US 006 018 044 046 051 052. G & S: Nutritional supplements in liquid form. FIRST USE: 20140205. FIRST USE IN COMMERCE: 20140205

IC 032. US 045 046 048. G & S: Non-alcoholic beverages, namely, carbonated soft drinks, carbonated energy drinks, sports drinks, and soft drinks; energy drinks and sports drinks enhanced with vitamins, minerals, nutrients, amino acids and/or herbs. FIRST USE: 20140205. FIRST USE IN COMMERCE: 20140205

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 86307787

Filing Date June 12, 2014

Current Basis 1A

Original Filing Basis 1B

Published for Opposition February 24, 2015

Registration Number 5281559

Registration September 5, 2017

Date**Owner** (REGISTRANT) Monster Energy Company CORPORATION DELAWARE 1 Monster Way Corona CALIFORNIA 92879**Attorney of Record** Jessica Sganga**Prior Registrations** 4036680;4532292;4534414**Disclaimer** NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "ENERGY" APART FROM THE MARK AS SHOWN**Type of Mark** TRADEMARK**Register** PRINCIPAL**Live/Dead Indicator** LIVE[TESS HOME](#)[NEW USER](#)[STRUCTURED](#)[FREE FORM](#)[BROWSE DICT](#)[SEARCH OG](#)[TOP](#)[HELP](#)[|.HOME](#) | [| SITE INDEX](#) | [| SEARCH](#) | [| eBUSINESS](#) | [| HELP](#) | [| PRIVACY POLICY](#)

TTAB Opposition No.: _____

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No assignment has been recorded at the USPTO

For Serial Number: 86307787

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United States of America

United States Patent and Trademark Office

MONSTER ENERGY ULTRA

Reg. No. 5,281,559

Registered Sep. 05, 2017

Int. Cl.: 5, 32

Trademark

Principal Register

Monster Energy Company (DELAWARE CORPORATION)
1 Monster Way
Corona, CA 92879

CLASS 5: Nutritional supplements in liquid form

FIRST USE 2-5-2014; IN COMMERCE 2-5-2014

CLASS 32: Non-alcoholic beverages, namely, carbonated soft drinks, carbonated energy drinks, sports drinks, and soft drinks; energy drinks and sports drinks enhanced with vitamins, minerals, nutrients, amino acids and/or herbs

FIRST USE 2-5-2014; IN COMMERCE 2-5-2014

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT STYLE, SIZE OR COLOR

OWNER OF U.S. REG. NO. 4534414, 4036680, 4532292

No claim is made to the exclusive right to use the following apart from the mark as shown: "ENERGY"

SER. NO. 86-307,787, FILED 06-12-2014
GEOFFREY A FOSDICK, EXAMINING ATTORNEY



Joseph Matol

Performing the Functions and Duties of the
Under Secretary of Commerce for
Intellectual Property and Director of the
United States Patent and Trademark Office

TTAB Opposition No.: _____
Monster Energy Company v. Queso Monster, LLC

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MONSTER HYDRO

Word Mark MONSTER HYDRO

Goods and Services IC 032. US 045 046 048. G & S: Non-alcoholic beverages, namely, energy drinks, soft drinks, sports drinks, and flavored waters; water enhanced with vitamins, nutrients, proteins, and amino acids. FIRST USE: 20180226. FIRST USE IN COMMERCE: 20180226

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 87270664

Filing Date December 15, 2016

Current Basis 1A

Original Filing Basis 1B

Published for February 21, 2017

Opposition Registration Number 5476437

Registration Date May 22, 2018

Owner (REGISTRANT) Monster Energy Company CORPORATION DELAWARE 1 Monster Way Corona CALIFORNIA 92879

Attorney of

TTAB Opposition No.: _____

Monster Energy Company v. Queso Monster, LLC

Trademark Electronic Search System (TESS)

Record	Jessica Sganga
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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No assignment has been recorded at the USPTO

For Serial Number: 87270664

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United States of America

United States Patent and Trademark Office

MONSTER HYDRO

Reg. No. 5,476,437

Registered May 22, 2018

Int. Cl.: 32

Trademark

Principal Register

Monster Energy Company (DELAWARE CORPORATION)
1 Monster Way
Corona, CALIFORNIA 92879

CLASS 32: Non-alcoholic beverages, namely, energy drinks, soft drinks, sports drinks, and flavored waters; water enhanced with vitamins, nutrients, proteins, and amino acids

FIRST USE 2-26-2018; IN COMMERCE 2-26-2018

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT STYLE, SIZE OR COLOR

SER. NO. 87-270,664, FILED 12-15-2016



Andrei Iancu

Director of the United States
Patent and Trademark Office